

MAY 31 2001

K 00 1442

Summary of Safety and Effectiveness

Submitted by: Daniel J. Manelli
Farkas & Manelli, P.L.L.C.
2000 M Street, NW (Suite 700)
Washington, DC 20036

On behalf of Surgex, Inc.
510(k) Submission: ESU Handswitching Pencil
May 5, 2000

The product is an electrosurgical hand controlled pencil intended for standard electrosurgical operations such as cutting and coagulation. It is designed to work with standard electrosurgical generators.

The product is a sterile single-use device with a two position hand controlled switch for cutting and coagulation. It has an uncoated stainless steel electrode. The product is for use only by qualified surgeons.

The device is substantially equivalent to the Unimed Disposable Hand and Foot-Stitching Pencils (K993647), the Aaron Electrosurgical Handcontrol Pencil, Model E (K983761), and the Valleylab VL2600 Handswitching Pencil (K955109).



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration
9200 Corporate Boulevard
Rockville MD 20850

MAY 31 2001

SurgeX, Inc.
c/o Mr. Daniel J. Manelli
Manelli, Denison & Selter P.L.L.C.
2000 M Street, NW
7th Floor
Washington, D.C. 20036

Re: K001442
Trade/Device Name: ESU Handswitching Pencil
Regulation Number: 878.4400
Regulatory Class: II
Product Code: GEI
Dated: March 30, 2001
Received: April 2, 2001

Dear Mr. Manelli:

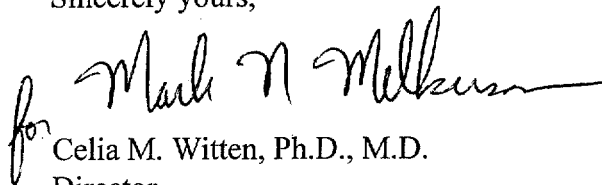
We have reviewed your Section 510(k) notification of intent to market the device referenced above and we have determined the device is substantially equivalent (for the indications for use stated in the enclosure) to legally marketed predicate devices marketed in interstate commerce prior to May 28, 1976, the enactment date of the Medical Device Amendments, or to devices that have been reclassified in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act (Act). You may, therefore, market the device, subject to the general controls provisions of the Act. The general controls provisions of the Act include requirements for annual registration, listing of devices, good manufacturing practice, labeling, and prohibitions against misbranding and adulteration.

If your device is classified (see above) into either class II (Special Controls) or class III (Premarket Approval), it may be subject to such additional controls. Existing major regulations affecting your device can be found in the Code of Federal Regulations, Title 21, Parts 800 to 895. A substantially equivalent determination assumes compliance with the Current Good Manufacturing Practice requirements, as set forth in the Quality System Regulation (QS) for Medical Devices: General regulation (21 CFR Part 820) and that, through periodic QS inspections, the Food and Drug Administration (FDA) will verify such assumptions. Failure to comply with the GMP regulation may result in regulatory action. In addition, FDA may publish further announcements concerning your device in the Federal Register. Please note: this response to your premarket notification submission does not affect any obligation you might have under sections 531 through 542 of the Act for devices under the Electronic Product Radiation Control provisions, or other Federal laws or regulations.

This letter will allow you to begin marketing your device as described in your 510(k) premarket notification. The FDA finding of substantial equivalence of your device to a legally marketed predicate device results in a classification for your device and thus, permits your device to proceed to the market.

If you desire specific advice for your device on our labeling regulation (21 CFR Part 801 and additionally 809.10 for in vitro diagnostic devices), please contact the Office of Compliance at (301) 594-4659. Additionally, for questions on the promotion and advertising of your device, please contact the Office of Compliance at (301) 594-4639. Also, please note the regulation entitled, "Misbranding by reference to premarket notification" (21CFR 807.97). Other general information on your responsibilities under the Act may be obtained from the Division of Small Manufacturers Assistance at its toll-free number (800) 638-2041 or (301) 443-6597 or at its internet address "<http://www.fda.gov/cdrh/dsma/dsmamain.html>".

Sincerely yours,

for Celia M. Witten, Ph.D., M.D.

Director
Division of General, Restorative
and Neurological Devices
Office of Device Evaluation
Center for Devices and
Radiological Health

Enclosure

510(k) Number (if known): K001442

Device Name: ESU Handswitching Pencil

Indications for Use:

For basic electrosurgical procedures, such as cutting and coagulation.

(PLEASE DO NOT WRITE BELOW THIS LINE - CONTINUE ON ANOTHER PAGE IF NEEDED)
Concurrence of CDRH, Office of Device Evaluation (ODE)

for Mark N Melker

(Division Sign-Off)
Division of General, Restorative
and Neurological Devices

510(k) Number K001442

Prescription Use ☒
(Per 21 CFR 801.109)

OR

Over-The-Counter Use ☐

(Optional Format 1-2-96)